

MEETING MINUTES

August 21, 2008

GOVERNOR'S COMMITTEE FOR THE PURCHASE OF COMMODITIES AND SERVICES FROM THE HANDICAPPED

The meeting was called to order by Chairperson Penney Hall at 10:00 a.m., August 21, 2008 at the F. Ray Power Building, located at the West Virginia Division of Rehabilitation Services' office in Institute, West Virginia.

ATTENDANCE:

Committee: Penney Hall (Chairperson); John Liller; Jan Smith; Lou Ann Summers attended for Brenda Morford; Everett Sullivan, Ron Price, Executive Secretary; Carol Jarrett, Recording Secretary.

WVARF Staff: Glenn McEndree; Chris Miller; Ashley Hackney

The minutes from the July meeting were presented by Ms. Hall. Ms. Summers had a correction on page 2. She said she had questioned the need for an agreement because the RFP spells out the relationship between the CNA Committee and WVARF. Mr. McEndree pointed out a typo on page 2.

MOTION #1

Ms. Smith moved to approve the minutes with corrections. Ms. Summers seconded.

Motion passed.

COMMITTEE CHAIR REPORT:

Ms. Hall reported there were some problems with the janitorial contracts, approved by the Committee in July, which has resulted in a delay. After meeting with Purchasing Division staff to clarify exactly what was needed, she and WVARF staff met to go over the steps that need to take place in order to get contracts approved. A change order was done to ensure janitorial workers received the minimum wage increase. The current contract was extended until September 30 while other issues such as the p-card reimbursement fee and concurrence with the contracts are resolved.

All commodities and janitorial contracts with increases over \$2,000 have to go before a Fair Market Price Subcommittee. Committee members have to include the Governor Committee Chair (Ms. Hall), another Committee member appointed by the Chair (Mr. Liller), someone from the Purchasing Division (Mr. Price or someone appointed by David Tincher) and someone from the CNA (Mr. McEndree).

Ms. Hall reported the State Purchasing Conference is in October at Canaan Valley. The State

Use Program is on the agenda for Friday.

EXECUTIVE SECRETARY REPORT:

Mr. Price reported:

\$5,046.00 - Annual Allocation

54.66 - Total Expenses Paid

\$ 4,991.34 - Balance Remaining FY'08

EXECUTIVE DIRECTOR REPORT:

Mr. McEndree reported Mike Turner has been hired as the director of the Randolph County Sheltered Workshop. He will be replacing Bob McCoy. WVARF is actively seeking his replacement and plan to have someone on board soon.

Mr. McEndree reported the change orders were done for the janitorial contracts. However, a problem was encountered with the reimbursement of the p-card fee. He said they have talked with Jim Smith in the Auditors Office about the reimbursement of the p-card fee. They are awaiting a reply from the Auditor.

He reported he was meeting with Senator Bowman and other interested parties on August 25 to discuss the laundry contract. He said he has been told verbally by Ms. Hall that DHHR has rescinded their request to competitively bid the Mildred Bateman Hospital laundry contract although he had not seen anything in writing regarding this.

The Sheltered Workshop of Nicholas County has started water delivery in the Charleston area, taking over Prester's routes effective August 11, 2008. Ms. Summers said the rehabilitation person at Green Acres has asked for someone to come and give them some advice on how to keep that business afloat. She said she thought it would be good if someone from WVARF could accompany her on a visit. She thought it might help them get back on track if they received some advice on what was needed. Mr. McEndree said WVARF had made recommendations to them two or three years ago about how to improve production, storage and delivery. Nothing was ever done with the information provided to them. Mr. McEndree agreed to accompany Ms. Summers on a visit to Green Acres.

Mr. Price said Purchasing had some questions from agencies regarding water delivery in Charleston. He asked if Nicholas County had a problem with a van, and if so, how they were going to handle delivery. Mr. McEndree said the problem had been fixed. He said they hired the Prester driver, who knew the routes and the customers. They are also considering purchasing another vehicle, probably a panel truck so more water can be hauled at one time.

Mr. Liller said he had a conversation with Staige Davis of White Way Laundry in Huntington. He said Mr. Davis believes he has been robbed. He also had a conversation with a legislator who believes that WVARF dictates everything such as who gets the contracts and they do not evaluate the contracts. He said WVARF dictates everything to the state. He said he tried to explain how this committee works and the role it plays in the contracts but the legislator was not convinced. Mr. Liller is concerned about the effect this has on the program and the fact that there needs to be some education about the role of the Committee and the program in general

with the legislature.

Ms. Summers raise the question if the CNA Committee had met, because they have a lot of work to be done. Mr. McEndree said they had not met and he had been in contact with the chairperson, Kelly Davis to try to schedule a meeting on September 10. The question arose if the Governor's Committee was going to meet with that Committee at the same time or prior to the other meeting. Mr. McEndree said he did not know but he would contact Ms. Davis about that issue. They still have not been able to fill the position of the attorney. Mr. McEndree is to send Ms. Hall the contact information so they could talk about the two Committees meeting together. He said the Committee had received some orientation on their responsibilities and the program.

Ms. Smith raised the concern about the strategic planning meeting September 10-12 at Oglebay in Wheeling. Mr. McEndree said it was the Association strategic planning. He said there is a plan to have another strategic planning meeting with all the State Use stakeholders.

Mr. Liller said although we are getting ready to enter the second quarter of the year the contract was not awarded until the end of July. Mr. McEndree said in the pre-bid conference the question was raised of when the new CNA would take over and the answer was 60 days after the contract was awarded and that award took place on June 1. Mr. Price said he would not interrupt this to mean WVARF had 60 days since they were the current provider and did not need a transition period as a new provided would need. Mr. McEndree said there was some transition time needed since it was changed from the Association to the CNA Committee. Ms. Summers as soon as that the meeting could take place the better. That Committee could be helping WVARF with some of the transition things they felt were needed.

CONTRACT PRESENTATIONS:

Ms. Hackney reported there were no contracts to present.

CONTRACT COMPLAINTS:

Ms. Hackney reported the majority of complaints were in regards to water delivery, which has already been discussed.

She reported there has been a formal complaint from DHHR regarding courier services. This is under review right now. This contract was to be performed by Pretera, which they did not fulfill and a group of CRP's picked it up. They have since given up the contract. Ann Brach from DHHR had anticipated the contract to start August 1. Mike Turner and Mr. McEndree tried to get in contract with her, however they were unsuccessful. He said he was not opposed to granting a one year waiver. WVARF is looking to see if there is another CRP which would like to take the lead on this contract and work with their fellow CRP's to ensure the contract is fulfilled. If there is not an interested CRP, the contract may be given up.

The complaint from the Board of Examiners for LPN's regarding presort. Mr. McEndree said he has not been able to schedule a meeting with them.

OLD BUSINESS:

Ms. Hall said WVARF still needs to submit an action plan based on the requirements of the RFP. Mr. McEndree said he would have a draft plan at the September meeting for the committee to review with action steps and responsible parties.

FINANCIAL REPORT:

Mr. Miller reported the only thing outstanding is the Department of Labor has a recurring invoice from February. He said he is going to file with the Court of Claims, but he doesn't have a whole lot of confidence in the paper work due to all the contract extensions. He may try once again to get them to pay without going to Court of Claims.

As of June 30, 2008, the total sales were \$11,687,156 this is an un-audited number. The over 60 day's accounts receivables were \$140,773 or 12.13% of the total accounts receivables.

NEW BUSINESS:

Ms. Hackney presented the fourth quarter activity report. Two CRP's, Development Center and Goodwill of KYOWVA, were below the 75% ratio. They will have a plan of correction to the Committee in September. For FY 2008 wages paid to people with disabilities were \$4,840,875.39 or 39.7% of total sales were paid to people with disabilities. Total wages paid were \$5,869,992.17. Total hours worked by workers with disabilities were 708,690; total hours worked by people without disabilities were 141,969. Average wages paid to people with disabilities \$6.83, total average wages paid to people without disabilities \$7.25. The number of people with disabilities employed was 823; total number of people employed was 1,080.

Mr. McEndree presented the Master Agreement between CNA Committee and the CRP's. There were several changes to the agreement:

- 1 Changed workers compensation language to reflect the privatization of worker's compensation.
- 2 Changed language to allow CRP's to partner with other businesses if approved by the Governor's Committee and the CNA Committee.
- 3 Changed language to reflect the CNA Committee and not WVARF is the contracting body.
- 4 Added language to meet the qualifications of the RFP.

MOTION #2

Mr. Sullivan moved to accept the changes to the agreement. Mr. Liller seconded. Motion passed.

Ms. Hall went over the comments received on the changes to the Legislative Rules and draft answers to those comments.

MOTION #3

Mr. Sullivan moved to approve the responses to the comments. Mr. Liller seconded.

Motion passed.

Mr. Sullivan asked if someone had been appointed to take Pete Cuffaro's place on the Committee. Ms. Hall said the Governor's Office was still looking at this issue.

Ms. Hall asked for Committee approval to move the September meeting from the 18th to the 25th and the October meeting from the 16th to the 30th. The Committee agreed to these changes.

MOTION #4

Mr. Sullivan moved to adjourn